UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,607	09/19/2003	Michael J. Chambers	M.CHAMBERS 2-1	6387

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EXAMINER
WENDELL, ANDREW

ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
06/11/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 December 2007*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-15 and 17-22* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-5,7-15 and 17-22* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 11, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by

Moroo et al. (US Pat Pub# 2004/0014460).

Regarding claim 1, Moroo teaches a mobile telephone 34 (Fig. 5) having a

camera configured to generate an image of a document in a first format (Stegano data)

that contains said data; a processing server 12 (Fig. 5) configured to receive said image

via a wireless communication network S2 and S101 (Fig. 6), process said image to

recognize said data, extract said data from said image and arrange said data according

to a database format S102-S103 (Fig. 6); and a database in said mobile telephone S3

(Fig. 6), associated with said processing server, that receives and stores said data

according to said database format S3 (Fig. 6), wherein said database format (URL) is

different from said first format (Stegano data).

Regarding claim 11, method claim 11 is rejected for the same reason as system

claim 1 since the recited elements would perform the claimed steps.

Application/Control Number: 10/665,607   Page 3
Art Unit: 2618

Regarding claim 22, Moroo teaches automatically storing the data in the

database format in the database of the mobile telephone S3 (Fig. 6).

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 7, 9, 12, 17, and 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Moroo et al. (US Pat Pub# 2004/0014460) in view of Yukie et al. (US

Pat# 6,956,833).

Regarding claim 2, Moroo teaches the limitations in claim 1. Moroo fails to teach

a video sequence.

Yukie teaches wherein the image comprises a video sequence (Col. 7 line 35-

Col. 8 line 26).

Therefore, it would have been obvious at the time of the invention to one of

ordinary skill in the art at the time the invention was made to incorporate a video

sequence as taught by Yukie into Moroo's image data processing system in order to

reduce local storage in a consumer device (Col. 2 lines 53-54).

Regarding claim 7, the combination including Yukie teaches wherein the

processing server forwards the data extracted from the image to a destination in

accordance with received instructions (Col. 6 line 55-Col. 7 line 3).

Regarding claim 9, the combination including Yukie teaches wherein the mobile device has a memory configured to store multiple images and transmits the multiple images to the processing server in a batch (Col. 7 lines 26-34).

Regarding claim 12, method claim 12 is rejected for the same reason as system claim 2 since the recited elements would perform the claimed steps.

Regarding claim 17, method claim 17 is rejected for the same reason as system claim 7 since the recited elements would perform the claimed steps.

Regarding claim 19, method claim 19 is rejected for the same reason as system claim 9 since the recited elements would perform the claimed steps.

2.   Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moroo et al. (US Pat Pub# 2004/0014460) in view of Zilliacus (US Pat Appl# 2003/0211856).

Regarding claim 3, Moroo teaches the limitations in claim 1. Moroo fails to teach a telephone transmitting an image by an MMS format.

Zilliacus's system for facilitating interactive presentations using wireless messaging teaches a mobile telephone 1014 (Fig. 10) transmitting an image to the processing server 1016 (Fig. 10) by employing a selected one of an MMS "MMS" (Fig. 10).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a telephone transmitting an image by an MMS format as taught by Zilliacus into Moroo's image data processing system in order to cut costs and test new technologies (Section 0005).

Regarding claim 13, method claim 13 is rejected for the same reason as system claim 3 since the recited elements would perform the claimed steps.

3.   Claims 4-5, 8, 14-15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moroo et al. (US Pat Pub# 2004/0014460) in view of Aarnio (US Pat Appl# 2003/0087650).

Regarding claim 4, Moroo teaches the limitations in claim 1. Moroo fails to teach employing an optical character recognition.

Aarnio's apparatus for providing precise location information through a communications network teaches wherein the processing server employs optical character recognition to extract the data from the image (Sections 0015-0017).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate employing an optical character recognition as taught by Aarnio into Moroo's image data processing system in order to improve accuracy of locating an area and give the user better information (Section 0005).

Regarding claim 5, it would be obvious that Aarnio can teach a processing server employing a spelling correction system (Sections 0015-0017) since it already has an optical character recognition system and therefore a simple word processor systems having spell checking functions could do the task.

Regarding claim 8, the combination including Aarnio teaches wherein the wireless communication conforms to a selected one of GPRS 14 (Fig. 1).

Regarding claim 14, method claim 14 is rejected for the same reason as system claim 4 since the recited elements would perform the claimed steps.

Regarding claim 15, method claim 15 is rejected for the same reason as system claim 5 since the recited elements would perform the claimed steps.

Regarding claim 18, method claim 18 is rejected for the same reason as system claim 8 since the recited elements would perform the claimed steps.

4.   Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moroo et al. (US Pat Pub# 2004/0014460) in view of Iida (US Pat Appl# 2003/0181200).

Regarding claim 10, Moroo teaches the limitations in claim 1. Moroo fails to teach charging the user for processing.

Iida's mobile terminal with built in camera and network printing system teaches a charge system, coupled to the processing server, configured to charge a user for processing of the image (Sections 0005 and 0054).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate charging the user for processing as taught by Iida into Moroo's image data processing system in order to efficiently send image data (Section 0007).

Regarding claim 20, method claim 20 is rejected for the same reason as system claim 10 since the recited elements would perform the claimed steps.

5.   Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moroo et al. (US Pat Pub# 2004/0014460).

Regarding claim 21, Moroo teaches the limitations in claim 1. Moroo fails to clearly teach contact data.

However, it would have been obvious that the image taken by camera 34 (Fig. 5) could contain contact data.

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate contact data as taught by Moroo into Moroo's image data processing system in order to reduce processing time (Section 0007).

Response to Arguments

Applicant's Remarks	Examiner's Response
"For at least these reasons, Moroo does not teach or suggest arranging data according to a database format and sending the data in the database format from a processing server to a mobile telephone as presently recited in independent Claims 1 and 11."	The examiner believes applicant is reading more into the claim. The claim just states "arrange said data according to a database format". This is very broad in examiner's view. A URL as taught by Moroo is a type of a format. It is a physical piece of data because it contains an address file. This URL data format has to be stored in order to recall the address to the correct picture. The claim does not state what kind of format or type (i.e. jpeg, etc). Therefore, Moroo clearly teaches a

	data format.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ANDREW WENDELL whose telephone number is

(571)272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Wendell/   /Nay A. Maung/
Examiner, Art Unit 2618   Supervisory Patent Examiner, Art
                                                    Unit 2618

6/3/2008